

REMARKS

Applicant has carefully reviewed the Office Action dated February 8, 2007. Applicant has amended Claim 1 to more clearly point out the present inventive concept. Reconsideration and favorable action is respectfully requested.

Claims 1-3 and 8-10 stand rejected under 35 U.S.C. § 102(b) as being unpatentable over *Bueno*. This rejection is respectfully traversed with respect to the amended claims.

Claim 1 has been amended to clarify that the identification tag holder includes a processor that is operable to read identification data from a plurality of identification tags. The fixed identification data is not altered by the read operation of the processor. In this manner, not only is the identification tag holder operable to read the fixed data from a plurality of identification tags, the identification tag is able to be read by different identification tag holders without having the fixed identification data altered.

The *Bueno* reference utilizes a smart card having a card number and also having stored thereon a count value. A card reader stores the count value in a memory when the card is read by the card reader. The card reader then varies the count value in the smart card. The primary purpose of this is to ensure that the smart card that was initially read by that reader is the same card that is currently being read by that reader. Thus, *Bueno* fails to disclose the limitations as set forth in the amended Claim 1. Therefore, Applicant respectfully requests withdrawal of the 35 U.S.C. § 102(b) rejection of Claim 1.

Claims 11-12 and 14-20 stand rejected under 35 U.S.C. § 103 (a) as being unpatentable over *Bueno* in view of *Burger* in further view of *Matyas*.

As stated previously, *Bueno* utilizes a smart card having stored thereon a count value. The count value is varied by each Read operation of a card reader. A processor in the card reader compares the count value stored in a fast memory with the count value stored on the memory card. The results of the comparison are sent to a fixed station.

Bueno does not disclose a remote identification tag component having an identification tag read for reading the identification information from an identification tag and *a biometric input independent of the identification tag*. The Examiner has combined *Burger* with *Bueno* for the purpose of teaching a biometric input independent of the identification tag. *Burger* teaches a handheld card reader that incorporates a fingerprint sensor. A scan is taken of a fingerprint. A processor on the handheld card reader compares the fingerprint to information stored on a smart card. During the scan and compare operation, no transmissions may be sent or received by the handheld scanner. Upon completion of the comparison operation, a visual or audible signal is emitted to indicate whether or not the scanned fingerprint matched the information stored on the smart card.

Burger specifically teaches that the handheld reader is self-contained or stand-alone, and that the identification data and biometric data should not be transmitted. The primary purpose for this is illustrated starting at Column 5, line 66 wherein *Burger* states:

The comparison of the fingerprint scanned at the scanner 16 with the data on the chip 20 of the smart card 14 is done immediately on board the reader 12. There is no communication, whether by wire or wirelessly, to or from a remote location central processing unit (CPU) or any other device for authentication. No information is permitted into the reader during the comparison step. This obviates the need for encumbering the on-site authentication with unnecessary data in the CPU and prevents hacking or sniffing of the information being compared.

As such, the combination of *Burger* and *Bueno* fails to teach “wherein a transmitter transmits said identification data and said hash to said location receiver; and wherein said location receiver sends said received identification data said hash to said location processor; and wherein said location processor processes said received identification data and compares said hash to a replicated hash.” (See Claim 11) Neither *Burger* nor *Bueno*, taken singularly or in combination, teaches the occurrence of any processor operation at a location separate from the reader; nor the transmission of both identification data and a hash of biometric data. The additional combination with *Matyas* does not cure the deficiencies of *Bueno-Burger*.

Claims 2-4 and 6-10 depend from, and further limit, Independent Claim 1, while Claims 12-20 depend from, and further limit, Independent Claim 11. These dependent claims are allowable for at least the same reasons as the claims from which they depend.

Applicant has now made an earnest attempt in order to place this case in condition for allowance. For the reasons stated above, Applicant respectfully request full allowance of the claims as amended. Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/SVSN-26,380 of HOWISON & ARNOTT, L.L.P.

Respectfully submitted,
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